



## THE COMMONWEALTH OF MASSACHUSETTS

### WATER RESOURCES COMMISSION

100 CAMBRIDGE STREET, BOSTON MA 02114

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### **Meeting Minutes for July 8, 2004**

#### **Members in Attendance:**

Karl Honkonen	Designee, EOEA
Marilyn Contreas	Designee, DHCD
Cynthia Giles	Designee, DEP
Gerard Kennedy	Designee, DAR
Mark Tisa	Designee, DFG
Ron Sharpin	Designee, DCR
Joe Pelczarski	Designee, CZM
Matthew Rhodes	Public Member
David Rich	Public Member

#### **Others in Attendance:**

Mike Gildesgame	DCR
Michele Drury	DCR
Sara Cohen	DCR
Eileen Simonson	WSCAC
Steve Garabedian	USGS
Martha Stevenson	League of Women Voters of MA
Carol Rowan West	DEP
Jessica Stephens Siler	Environmental League of Massachusetts
Susan Spears	Watershed Action Alliance
Margaret Kearns	Riverways
Andrew Gottlieb	DEP
Dave Terry	DEP
Philip Guerin	MWWA
Pine DuBois	JRWA
Sarah Lumnah	Charles River Watershed Assoc.

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#### **Agenda Item #1: Executive Director's Report**

In Linda Marler's absence, the Commission was referred to the hydrologic conditions report that had been sent in the mailing. Honkonen stated that conditions were normal.

Honkonen gave the Executive Director's Report:

- The water policy task force has created a draft report, which was placed on-line yesterday. The public comment period is open through the end of the month (July 30<sup>th</sup>). Public meetings on this report were held during the past few weeks.

- Honkonen has a meeting with the Governor's office to discuss the reappointment of the public members. He is hoping that this is the final hurdle to this effort.
- Gildesgame stated that the final Lakes and Ponds GEIR document and companion Practical Guide to Lakes and Ponds Management in Massachusetts have been printed. A hard copy, along with a CD will be sent to each Conservation Commission in the Commonwealth, with the exception of a few commissions, which do not have lakes or ponds in their towns. Those Conservation Commissions will get a letter stating that these documents are available on-line.

**Agenda Item #2: Vote – Minutes of December 2003, February, and March 2004:**

A motion was made by Giles and seconded by Contreas to approve the minutes of December 2003, February and March 2004. The vote was unanimous of those present and voting.

**Agenda Item #3: Discussion – Staff Recommendation on Reading's Interbasin Transfer Application to Join the MWRA Water Works System**

Drury noted that Reading's representatives were not present. Reading asked for an extension of the public comment period until July 31<sup>st</sup> because the Selectmen wanted to discuss this issue and they will not meet until July 28<sup>th</sup>. The Selectmen make the decision as to whether or not Reading will move forward with this.

Reading's application for an interbasin transfer was discussed at the June meeting. To recap, Reading is applying to join the MWRA Water Works System and this requires approval under the ITA. As usual, this application was part of the EIR process. Reading has land area in the Ipswich River basin, the Mystic River subbasin of the Boston Harbor basin and the North Coastal basin. It has nine existing water supply sources, all within the Ipswich River basin, along the river. The town and others have determined that full use of its sources during certain times of the year causes the Ipswich River to go dry. Therefore, the town is proposing to cut back use of these sources for the period of May through October and use MWRA to meet the balance of their demand during this period. MWRA's sources are located in the Chicopee and Nashua River basins. Last month, Staff recommended that the WRC approve this application. Since then, a public hearing on the Staff Recommendation was held June 23<sup>rd</sup>. Prior to developing the Staff Recommendation, the two required hearings were held on the application itself, one in Reading on May 18th, the receiving basin, and one at the Quabbin Visitor's Center on May 19th, in the donor basin. All three hearings were sparsely attended. Honkonen and Contreas represented the WRC at some of the hearings. The written comments on the application were sent to the WRC. Drury distributed the comments received to date on the Staff Recommendation.

The town and WSCAC attended the June 23<sup>rd</sup> hearing on the Staff Recommendation and gave comments. WSCAC, the town and the Ipswich River Watershed Association have provided written comments on the Staff Recommendation. Some of Reading's comments are reflected in the revised Staff Recommendation, dated July 8, 2004.

**Changes from the June Staff Recommendation:**

**1.** The section concerning Criterion #2, Viable Local Sources, (pages 3 -5) has been re-written for clarity. Nothing of substance has been changed.

2. The discussion under Criterion #3 and under the Conditions for this Criterion, reflect the issue brought up during the public hearings concerning Reading's outdoor water use restrictions. Staff also has had discussions with DEP concerning this.

Reading contends that its current water use restrictions provide as much protection to environmental resources as would be afforded by tying the restrictions to streamflow. The performance standards require that a mechanism be in place in its drought/emergency plan to tie water use restrictions to streamflow levels. However, the WRC approved the Performance Standards as "rebuttable presumptions", meaning that if a proponent can demonstrate an alternate method of meeting intent of the criteria, the WRC can approve compliance. The July Staff Recommendation gives Reading the option of adopting streamflow triggers for outdoor water use *or* demonstrating to the WRC that their current restrictions are as protective. DEP has been working with Reading on this issue. Drury noted that Staff is willing to negotiate with the town on this, but we are not willing to approve something that does not meet the criteria of the Act.

3. The Table on page 17 has been corrected. There was a math error in this Table. The last row "Average for the period" now reads, correctly 1.26 mgd and -18.4 % (as opposed to 1.38 mgd and -20.3 % in the June Staff Recommendation). MWRA has differences with Staff as to how the entire table was calculated, and Marler has discussed this with them. MWRA developed their analyses looking at the averages over the period of record; however, Staff looked at this on a yearly basis, hence the differences. Staff chose to do it this way because it is consistent with the way it was done in the Stoughton analyses. Also, some daily data became available for use in the analyses. The reason why the percentages look so high is because in some years there may have been no spills. If in the next year, there is even a small amount spillage, it may result in a large increase in percentage, and vice versa. If Commission members have questions about the tables, Drury suggested that they contact Marler when she returns next week.

4. Pages 25 and 26 list the conditions. Condition 5 under Criterion #3 gives Reading the option of adopting streamflow triggers for outdoor water use or demonstrating to the WRC that their current restrictions are as protective.

5. Condition 1 under Criterion #2 reflects that there may be some instances where Reading will reach the amount of its ITA approved transfer before the end of October. If this is the case, they may need to use their own sources for more than 1 mgd. However, one of the premises of this application was that Reading would limit the use of its sources to 1 mgd during that period, and therefore, before higher use is allowed, the Town must have implemented the maximum conservation actions outlined in its existing conservation plan.

Honkonen asked if a vote would be requested next month. Drury answered yes, but since Reading asked for an extension of the public comment period, if any issues come up through this extension that are not resolved before the August meeting, the WRC may opt to postpone the vote until September.

Contreas asked if there was more recent residential gpcd data. The latest is from 2001. Drury responded that the application was submitted with the DEIR in 2002, and rather than giving the town an endless update loop, the data contained in the application was the used in the analyses.

From conversations with the water supply regulators, Drury had learned that Reading has one of the better water conservation programs in the state. Giles added that Reading's most recent residential gpcd is well below 65.

Simonson stated that she was very disappointed with the Reading Town Manager's letter to the WRC. The town is now objecting to things that have been on the books for a long time. Her opinion is that this makes the whole effort seem very disingenuous. She is concerned about the requirement for Reading to use more of its own water if the interbasin transfer limit is reached. This should not be allowed. Reading should have to buy more expensive water from the MWRA. And before they do that, they should have to return to the WRC and explain why they have not implemented a restriction that cuts all outdoor summer water use. WSCAC will be providing more written comments on this. Simonson thinks the WRC should read the recommendation more carefully and require more restrictions. She also noted that the spillage analysis should be tweaked a bit. She also thinks that Reading should update their Local Water Resources Management Plan to discuss what they are doing with their enhanced water conservation plan. Simonson noted that Reading has said that they will use environmental triggers on its water supply to implement water use restrictions. She would like to know, and thinks the WRC should know what these triggers are. Simonson objects to this whole process based on precedent and spirit of the laws in place.

Drury stated that one of the conditions of the Staff Recommendation was that Reading must provide annual reports on their enhanced water conservation plan, including how much money was spent and what was accomplished. Drury also brought in a few of the brochures that Reading has developed for its rebate program. This program is up and running and details of the successes, so far, were outlined in the June Staff Recommendation.

#### **Agenda Item #4: Presentation – DEP's Perchlorate Policy**

Honkonen indicated that Rich had asked for a presentation on this topic. It is an issue that has been of great concern to many water suppliers. Rowan West stated that the Office of Research and Standards (ORS) in DEP is comprised of toxicologists and risk assessors. The responsibility of the ORS is to provide recommendations on standards that are protective of public health. Perchlorate is a widely used chemical found in things such as rocket propellants and fireworks, as well as a number of other things. This substance is very water-soluble and is very stable. It doesn't break down for years in ground water. When people are exposed orally, it is very well absorbed.

DEP got involved with perchlorate in early 2002 after receiving a letter from the Bourne Water District (BWD), which had recently detected perchlorate in three of its four water supply wells. There are no federal or state drinking water standards for this chemical. In their letter, BWD asked DEP to derive guidance on a health protection level in drinking waters so that they could make a decision as to whether or not to put their wells on line. To respond quickly, ORS reviewed available toxicity information, including a draft 2002 EPA toxicological assessment. DEP provided interim guidance to Bourne saying that if the concentrations exceeded 1 part per billion (ppb), susceptible subgroups should not consume the water. These subgroups are: pregnant woman, infants, children up to age 12, and individuals with hypothyroidism.

This guidance was called “interim” because at that time, it was expected that EPA would soon be setting a drinking water standard for perchlorate. But in January 2003, DEP learned that EPA’s work would be delayed and so DEP decided to go ahead and set some standards for perchlorate. Under the Massachusetts Contingency Plan (MGL Chapter 21E), DEP must address contamination at hazardous waste sites. The Massachusetts Military Reservation (MMR) is a 21E hazardous waste site, with up to 500 ppb perchlorate in the ground water. BWD suspects that this is the source of the contamination in its wells. Standards were needed for the MMR clean up and for other perchlorate sites in Massachusetts. The goal is to adopt soil and ground water standards. In order to do this, DEP first had to adopt a Massachusetts RfD or reference dose. This is an estimated dose that a human can be exposed to, without any adverse health effects. That was the focus of this work. ORS has worked with an external scientific peer review group. Once there is a proposed RfD, the regular public hearing process will begin and comments will be taken before this is finalized. DEP also recognizes the potential need for a drinking water standard and a maximum contaminant limit for towns like Bourne with contaminated wells. The process is the same. The RfD will be the starting point for setting the standards.

After the DEP made the decision to set standards, the EPA’s work was further delayed because the White House made a decision that the EPA’s draft health assessment would need to be reviewed by the National Academy of Science, even though it already had two external peer reviews. The reason for this review is that other agencies, as well as the manufacturers of this chemical that are responsible for this perchlorate contamination are arguing with EPA about the health assessment. The National Academy of Science’s work was supposed to be issued in September. It has been pushed back until December. If this information is available when ORS starts its work on a drinking water standard, it will be taken into account.

DEP is requiring testing of all public water supplies in the state. To support that effort, interim guidance for perchlorate in drinking water has been adopted. If concentrations exceed 1 ppb, the sensitive subgroups should not consume the water. The rest of the population can consume up to 18 ppb. Due to the properties of perchlorate, bathing and showering in water that contains perchlorate at much higher levels is not a problem because it is not absorbed dermally and it doesn’t vaporize.

Perchlorate affects human health through the endocrine system. The hypothalamus is an inner section of the brain. It secretes TRH, thyroid-releasing hormone, which acts on the pituitary gland, which is at the base of the brain. This then releases thyroid stimulating hormone, which tells the thyroid gland to produce hormones T3 and T4. These are critical hormones that are released into the blood and are essential for normal growth and development. In the body there is a feedback mechanism. If there is too much of these hormones in the blood, this negative feedback loop tells the hypothalamus to stop the system. If there is too little of these hormones, it tells the hypothalamus to produce more. Perchlorate is taken into the thyroid gland, rather than iodide, so iodide uptake is inhibited and therefore, the thyroid gland cannot make thyroid hormones. The system signals the thyroid gland to make more thyroid hormone, but it cannot. As a result, the thyroid gland may become enlarged. With respect to development effects, the most critical populations are fetuses and infants.

A pregnant woman's thyroid is stressed because she needs to produce enough hormones for her own use, as well as for that of her developing fetus. When the fetus is developing, there is a certain stage of life where it needs to obtain all of its thyroid hormones from its mother, because it has not yet developed its own thyroid gland. In addition, when the fetus can start making its own thyroid hormones, it needs iodide. The only source of iodide is what the mother ingests and what can be delivered through the placenta. A newborn can make one day's supply of thyroid hormone. They have a very limited capacity to make a greater supply. Thyroid hormones are needed for normal growth and development. The source of iodide available to an infant is through breast milk.

A pregnant woman exposed to perchlorate may not make enough thyroid hormone and so the fetus may not get enough. Perchlorate can cross the placenta, so even if a fetus can make some thyroid hormone, the perchlorate blocks this activity. Therefore it may not develop normally. Perchlorate is excreted into the breast milk and inhibits iodide secretion into the breast milk. An infant's limited ability to make thyroid hormone may be interrupted. There have been worldwide studies on human populations which do not have enough iodide. What has been found in terms of pregnant women, is that their children, depending on the severity of the iodide or thyroid hormone deficiency, can be born with an IQ that is anywhere from 5 to 13 points lower than normal. They may be born with mental retardation and there are severe impacts on hearing, speech, movement and behavior.

In the 1990's, California was finding perchlorate in many of its public drinking water wells and joined with EPA, the National Institute for Environmental Health Sciences and other groups to review the data on perchlorate. It was decided that there was an inadequate database to set limits that would be productive of human health. So this group conducted a battery of toxicity studies. They launched several studies looking at many end points. Many of these studies were successfully replicated, and now there is sufficient information on perchlorate. ORS reviewed all this new information and worked with its external scientific peer review group, which is comprised of 12 scientists with backgrounds in toxicology, risk assessment, epidemiology, endocrinology, and biostatistics. It was agreed that perchlorate causes iodide uptake inhibition, alterations in hormone levels, and affects the number and size of cells in the thyroid, impacting normal functioning. The studies also found that perchlorate impacts normal growth and development of the brain and produces cancerous tumors.

The process to set drinking water limits was developed by EPA. It is used by the states that set standards. The starting point is the reference dose. The way this number was derived was by looking at all the scientific information from human and animal studies to identify a "no observed adverse effect" level or a "low observed adverse effect" level. Then this is divided by uncertainty factors. These are standard factors that are applied to address deficiencies and gaps in information. When the RfD and exposure factors are considered, the drinking water guideline of 1 ppb for sensitive subgroups is derived. In deriving the draft reference dose, ORS looked at all critical life stages and considered all adverse health effects.

Rich stated that the issue is the number at which perchlorate becomes a health issue. He doesn't understand what the rush was to establish this guideline. If there is perchlorate at any level in drinking water in Massachusetts, it has been there for a while. He thinks it is the best interest to wait until EPA establishes a standard. BWD was put in a position where they had no alternative

but the shut down the wells because there is no effective way to notify subgroups. This puts water suppliers in a very difficult position. We do need to address perchlorate, but this approach is based more on statistics. He would have been more comfortable waiting to find out what the right number was. Giles said that when DEP finds out about a public health threat, it has a responsibility to take prompt, but thoughtful, action. This is what has been done here. She has been very impressed by the depth of the scientific review and peer review done to develop this number. But this is only an interim step at this point. It is not the final regulatory standard. This is a reference number for water suppliers and others who have to make choices about drinking water. DEP was under an obligation to take reasonable action. A Maximum Contaminant Level (MCL) has not been set. More data is being sought about the extent of the perchlorate contamination in the state and the treatment methodologies before an MCL is set. There will be full opportunity for public comment and interaction before DEP makes an MCL decision.

Rich said that by rushing into this, DEP increases the chances of making a wrong decision. He thinks it would have been better to wait for EPA. Establishing this limit as an advisory makes it difficult to change if EPA comes out with the higher number. Giles said the standard method for establishing this guideline was used. She is not comfortable in waiting for EPA to make a decision. Their time frame is uncertain. DEP has EPA's underlying data. This limit is based on their science. Tisa asked about the timeframe that was needed to establish this RfD. Rowan West answered that it took about a year. Gildesgame asked if it was known what EPA's tentative number was before it got sent back for further review. Rowan West answered that their number was 1 ppb, as well. Gildesgame asked why DEP's and EPA's numbers differ from the California number. Rowan West answered that the California number was established using one human study that was conducted using healthy adults and a 14 day exposure period. Originally California's draft public health goal was 2 ppb, but they took out the uncertainty factor that accounted for the fact that this study only lasted for 14 days.

Tisa asked if there were technologies to remove perchlorate from water and how expensive this would be. Rowan West answered there is quite a bit of treatment work going on in California and elsewhere using ion exchange chromatography and bioreactors - microorganisms that consume the perchlorate, resulting in a brine solution. These are being reviewed closely to determine if they are appropriate to use at MMR. Honkonen asked how long it took from installation of clean-up technology to removal to below a safe limit. Rowan West answered that it was immediate. These systems treat many gallons per day and several can be run consecutively. DEP is trying to put together the cost information as part of the data gathering being done for MCL setting. Rhodes asked if this technology was transferable to point of use. Rowan West replied that this is being looked at now. Some private wells have been impacted by perchlorate and may need this sort of cleanup. Kennedy asked if these wells were located near military reservations or if perchlorate is naturally occurring. Rowan West answered that the Waste Site Cleanup Program has informed her that there are 350 formerly used defense sites in Massachusetts, so these areas are potential sources of contamination, but the wells that have been identified with perchlorate contamination are at Mt. Greylock, in western Massachusetts, Boxboro, and Westport. Rowan West added that perchlorate is not naturally occurring in Massachusetts. Another potential source could be fireworks displays or explosives.

Simonson stated that she really disagrees with some of the information that DEP has used so far. The human study was dreadful, the toxicology studies usually have no relation to human

response and according to Dr. Zeller, who was on the advisory board, the entire analysis capability is down to 4 ppb in sensitivity. This is not to say that nothing should be done. The town of Hadley has found 1-2 ppb at Well #2 which is near a field where fireworks displays take place. The issue of the amount that is allowable is questionable. She stated that we've gone through this with other "bugs of the month" it has turned out to be claptrap. She objects to this sort of standard setting that causes water supplies to be shut down when there might not be a cause, instead of putting a warning like the mercury warning for fish, the human thyroid responds daily to massive changes in thyroid production and in most normal humans it is not an issue. The question is what to do with sensitive populations and what we've done with cryptosporidium, giardia and everything else is to really educate those who will be in a sensitive population. The science is not there. Warnings should be issued. More needs to be done to educate the public, rather than shut down water supplies. Rowan West answered that DEP's interim guidance is to issue an advisory that the sensitive subgroups should not be consuming the water. Giles added that the standard of 1 ppb is not to shut wells down; it is the standard to notify sensitive populations, just as Simonson is suggesting. What towns decide to do on their own that is different from what DEP is recommending is beyond DEP's control.

Stevenson said she differed with Simonson on this. Stevenson lives in Wilmington and has been drinking water that has been contaminated since she's been living there. She is appalled to hear a WRC member suggest that since water has been contaminated for some time, there is no rush to address the problem. As a woman and mother who has nursed a daughter, she is outraged that there is any thought that we should not be at least setting some sort of minimum standards. Technology changes on a daily basis and human health studies are new for most of these chemicals. Many of the chemicals in drinking water haven't even been identified, but that doesn't mean we shouldn't take some steps to address these issues. She asked about reporting limits and analysis standards. How quickly do water suppliers have to get warnings out? Stevenson is concerned that DEP has to issue its own standards because EPA's report has been delayed. This leads to confusion among members of the public. Terry explained the sampling requirements and added that the Wall Experiment Station would be conducting a QA/QC review of the statistical results to make sure there is no possibility of error. The time frame for reporting a perchlorate incident has been decreased from 30 days to 18 days. A number of bottled water purveyors are also being tested.

Guerin stated that there are over 300 water systems in California with perchlorate levels over 4 ppb. Many have 10 to 100 times this much. In Las Vegas, the water supply is contaminated with low levels of perchlorate. Certainly, he said, there are hundreds of thousands of people on the West Coast that have had lifetime exposures to elevated levels of perchlorate. This would lead to the conclusion that there would be an epidemic of thyroid problems in California. Is there any evidence of this? Rowan West said that there have been epidemiology studies that have looked at this, comparing populations that have had perchlorate contamination in the water supply compared with populations without perchlorate contamination in the water supply. The studies are weak and flawed. DEP's advisory committee decided not to use these.

Spears said that she had a personal interest in this issue because she is hypothyroid and has been since she was pregnant with her first child. She grew up on military bases. She can testify that there is an epidemic of thyroid disease in this country. It is very common now among anyone over the age of 50. It is not commonly tested for and has many of the same symptoms of other

physical and mental diseases. She asked if these problems persist, even after one's hypothyroid condition is corrected with medication. Rowan West said that this had been discussed with the advisory committee. Dr. Emerson, who is a medical doctor and endocrinologist at UMASS Medical Center, indicated if someone were being successfully treated for hypothyroidism, they would not be as susceptible to perchlorate contamination and could be considered part of the general population. Spears asked why there are so many people who are hypothyroid now. Is it because we are testing for it more often now, or is it because there is an epidemic? Rowan West replied that no one really knows the answer.

DuBois asked if this standard would be followed up by any regulations for agriculture. Her concern stemmed from warnings received during the past winter about western lettuce, which absorbed perchlorate readily. Giles answered that right now the focus is on drinking water standards. The area of agriculture is still being explored. DuBois followed up by suggesting that certain crops had the opportunity for absorption. Giles replied that the prevalence of perchlorate needs to be determined first, then the impacts from the contamination can be determined. Rowan West added that perchlorate has also been found in milk from California. It was determined that cows had consumed alfalfa which had been irrigated with perchlorate contaminated water. Honkonen stated this issue bears watching as more research comes in. The WRC should be kept informed of progress with this.

**Agenda Item #5: Presentation – Proposed Amendments to 310 CMR 36.00, The Water Resources Management Program**

Giles said that the proposed regulatory changes are actually pretty simple. They do two things:

1. Delete the regulatory definition of safe yield and substitute the statutory definition.
2. Add language to allow DEP to more readily gather information to determine if regulated or potentially regulated parties are subject to, and in compliance with, the Act.

Right now DEP does not have very good ways to collect the information needed to determine if a party that should be complying with the Act, actually is. The proposed safe yield definition change comes about as a result of evolving science. We have learned a lot about how water systems operate and what stresses them and have moved beyond the idea of a single number for an entire basin that captures what is a good level of flow. DEP has been attempting to take advantage of the new science in its permitting decisions, but the regulations, as currently drafted, tie DEP to a method of calculating safe yield. There is widespread agreement in the professional community that this method is not the best way to do it. DEP is proposing to substitute the more flexible language from the statute. When current permits and registrations expire in the next 2-3 years, we need to have a new approach. In the meantime, DEP will use the new science and the new policy and guidelines. There will be a public hearing on these proposed regulations on July 20<sup>th</sup> at the DEP Boston office at 1 pm. Comments will be accepted until July 30<sup>th</sup> at 5 PM. The changes are meant to make DEP's permitting process more transparent and more consistent with the science.

Kearns stated that there was some discussion of risk in the original regulatory definition of safe yield. The statutory definition does not include this. Giles said that the new definition says that the determination of dependable safe yield withdrawals from a water source is relative to

maintaining the ecological process of the water source and is a function of storage, natural availability of streamflow and drought probability of the water source.

Simonson said that one of the problems is that it is not clear as to whether “safe yield” was for the basin, for the subwatershed or for the source. As DEP developed a more individualized approach, it ended up being an evaluation of the individual source or system and its drought resiliency and whether it had a plan and some reasonable estimate of what its drought withdrawal capability was. How does this change get DEP out of this box? This needs to be better defined. Giles replied that those are good points. This approach is not intended to address all the issues surrounding safe yield. It is intended to take away things that are confusing to applicants and the public and to allow DEP to better define how they will be conducting permitting. In the meantime, there is a need to tackle the broader questions, and DEP is in the process of doing this.

Spears asked about the timetable for this change to go into effect. Giles answered that this could go into effect in the fall and will be applied to applications received after they are in effect. DuBois asked what would trigger DEP’s interest in a potential permissible withdrawal. Giles answered that there are a variety of different ways that this could come to DEP’s attention. In stressed basins, DEP will look for sources. It also can be brought to DEP’s attention through tips. DEP can’t guarantee that it will respond to every tip. They will be triaged and it will be determined how likely it is that there is a violation and how important it is compared with other violations that DEP is dealing with. DuBois asked if this would allow DEP to contact the withdrawer to require the information. Giles answered it will provide a more cost effective way to gather this information. Giles said that this would come back to the WRC in August or September.

Meeting adjourned

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Meeting minutes approved 1/13/05